

REMARKS

Summary of Office Action

Claims 1-16, 23-25, and 31-41 are pending in this application. Claims 26-30 were previously withdrawn pursuant to a restriction requirement.

Independent claims 1 and 14 and dependent claims 2-6 and 13 were finally rejected under 35 U.S.C. § 103(a) as being obvious from Sheth et al. U.S. Patent No. 6,311,194 (hereinafter "Sheth") in view of Sezan et al. U.S. Patent No. 6,236,395 (hereinafter "Sezan").

Dependent claim 7 was finally rejected under 35 U.S.C. § 103(a) as being obvious from Sheth in view of Sezan and further in view of Scott et al. U.S. Patent No. 5,675,752 (hereinafter "Scott").

Dependent claim 8 was finally rejected under 35 U.S.C. § 103(a) as being obvious from Sheth in view of Sezan and further in view of Foreman et al. U.S. Patent No. 6,628,303 (hereinafter "Foreman") and Lawler et al. U.S. Patent No. 5,907,323 (hereinafter "Lawler").

Dependent claim 9 was finally rejected under 35 U.S.C. § 103(a) as being obvious from Sheth in view of Sezan and further in view of Berhan U.S. Patent No. 6,487,145 (hereinafter "Berhan").

Dependent claim 10 was finally rejected under 35 U.S.C. § 103(a) as being obvious from Sheth in view of Sezan and further in view of Reimer et al. U.S. Patent No. 6,065,042 (hereinafter "Reimer").

Dependent claim 11 was finally rejected under 35 U.S.C. § 103(a) as being obvious from Sheth in view of Sezan and further in view of Landis U.S. Patent No. 5,659,368 (hereinafter "Landis") and Cane et al. U.S. Patent No. 6,157,931 (hereinafter "Cane").

Dependent claim 12 was finally rejected under 35 U.S.C. § 103(a) as being obvious from Sheth in view of Sezan and further in view of Murphy et al. U.S. Patent No. 6,625,810 (hereinafter "Murphy").

Independent claim 15 was finally rejected under 35 U.S.C. § 103(a) as being obvious from Rose et al. U.S. Patent No. 5,752,244 (hereinafter "Rose") in view of Montgomery et al. U.S. Patent No. 6,380,950 (hereinafter "Montgomery") and Hendricks et al. U.S. Patent No. 5,659,350 (hereinafter "Hendricks").

Independent claim 16 was finally rejected under 35 U.S.C. § 103(a) as being obvious from Sheth in view of Montgomery and Hendricks.

Independent claims 23 and 24 were finally rejected under 35 U.S.C. § 103(a) as being obvious from Sezan in view of Hsu et al. U.S. Patent No. 6,377,956 (hereinafter "Hsu").

Independent claim 25 was finally rejected under 35 U.S.C. § 103(a) as being obvious from Sheth in view of Gordon et al. U.S. Patent No. 6,584,153 (hereinafter "Gordon") and Hsu.

Dependent claims 31, 32, 37, and 40 were finally rejected under 35 U.S.C. § 103(a) as being obvious from Sheth in view of Sezan and further in view of Rabne et al. U.S. Patent No. 6,006,332 (hereinafter "Rabne").

Dependent claims 33 and 34 were finally rejected under 35 U.S.C. § 103(a) as being obvious from Sheth in view of Sezan and further in view of Rabne and Rivera et al. U.S. Patent No. 6,056,786 (hereinafter "Rivera").

Dependent claim 35 was finally rejected under 35 U.S.C. § 103(a) as being obvious from Sheth in view of Sezan and further in view of Rabne and Rose.

Dependent claim 36 was finally rejected under 35 U.S.C. § 103(a) as being obvious from Sheth in view of Sezan and further in view of Rabne and Hurtado et al. U.S. Patent No. 6,418,421 (hereinafter "Hurtado").

And dependent claims 38, 39, and 41 were finally rejected under 35 U.S.C. § 103(a) as being obvious from Sheth in view of Sezan and further in view of Rose.

Summary of Applicants' Reply

Applicants submit concurrently herewith a Request For Continued Prosecution under 37 C.F.R. § 1.114.

Applicants also submit concurrently herewith a Change Of Correspondence Address.

Applicants have canceled withdrawn claims 26-30, which will be pursued in a divisional application. Applicants have also amended independent claims 1, 14-16, and 23-25 to more particularly define the invention.

No new matter has been added.

Reconsideration of this application in view of the amendments and following remarks is respectfully requested.

The Rejections of Claims 1-14 and 31-41 Under 35 U.S.C. § 103(a)

Independent claims 1 and 14 were rejected under 35 U.S.C. § 103(a) as being obvious from the combination of Sheth and Sezan. Dependent claims 2-13 and 31-41 were rejected under 35 U.S.C. § 103(a) as being obvious from the combination of Sheth and Sezan and one or more of the other cited references.

Regarding independent claim 1, the Examiner said that "Sheth teaches the claimed limitation 'metadata for at least two types of digital assets selected from the group consisting of movies and text documents.'" The Examiner cited Sheth FIGS. 1-6 and 11 and column 8, lines 20-45.

The Examiner also said that although "Sheth does not explicitly teach ... 'audio recordings, video recordings[,] Sezan teaches attribute voice-annotation for audio and color profile for video," citing Sezan column 19, lines 35-45, and column 29, lines 20-35.

The Examiner concluded that it would have been obvious to a person of ordinary skill in the art at the time of the invention to apply the teachings of Sezan to Sheth's system.

Regarding independent claim 14, the Examiner said substantially the same.

These rejections are respectfully traversed.

Sheth does not disclose or suggest a document type definition (DTD) that includes declared elements and attributes for two or more types of the assets defined in independent claims 1 and 14 (*see* applicants' Example 1 starting on page 16 of the specification for an example of a DTD in accordance with applicants' invention). In particular:

Sheth's column 8, lines 20-45 do not describe or suggest a DTD. That citation describes a "hierarchy of domains" for a "WorldModel;"

Sheth's FIG. 1 does not show a DTD. FIG. 1 "illustrates a ... set of ... domains and subdomains" (column 5, lines 63-64);

Sheth's FIG. 2 does not show a DTD. FIG. 2 "is a table" (column 5, line 66);

Sheth's FIG. 3 does not show a DTD. FIG. 3 "depicts a graphical representation of a domain model" (column 6, lines 1-2);

Sheth's FIG. 4 does not show a DTD. FIG. 4 "is a table" (column 6, line 3);

Sheth's FIG. 5 does not show a DTD. FIG. 5 "is a block diagram of a software architecture" (column 6, line 6); and

Sheth's FIG. 11 does not show a DTD. FIG. 11 "illustrates an example of a search interface" (column 6, line 17).

However, Sheth's FIG. 6 does show a DTD within an XML document (referred to in the art as an "internal DTD*"). But, the FIG. 6 DTD declares elements and attributes for only one type of asset: movies. "FIG. 6 provides a sample of a[n] XML-based definition of an asset" (column 6, lines 8-9; emphasis added). In other words, FIG. 6 shows an XML-based definition of only one asset (movies), and thus, only one of the asset types defined in claims 1 and 14.

Furthermore, Sheth does not in any way whatsoever teach or suggest a DTD having declared elements and attributes for more than one of the asset types defined in claims 1 and 14.

Indeed, Seth explicitly teaches away from applicants' invention in its description of creating XML files:

"The extractor scans the Web page content for pieces of text that match the pattern specified by the extraction rules" (column 11, lines 50-52).

"These rules list the metadata attributes for the type of media that this site contains" (column 11, lines 43-45; emphasis added).

"After the extractor has attempted to find every attribute in its list of extraction rules, it creates an XML document.... An example of such an XML document is shown in FIG. 6" (column 11, lines 52-56).

* Supplemental to applicants' October 22, 2004 Reply to Second Office Action in which applicants stated that a "DTD is a separate file or document" (page 13), a DTD can also be internal to a document to which the DTD definitions apply, as is known in the art.

“The XML document ... contains the asset type” (column 12, lines 37-39; emphasis added).

Seth consistently refers to the content of the XML document as being of a single type: “the type of media” and “the asset type.” Seth explains that its extractors scan for (and thus create XML documents of) only one type of media because “[t]he set of attributes associated with, for example, a news video (reporter, location, event date, etc.) is different from the set of attributes associated with a sports highlight (teams, players, score etc)” (column 11, lines 46-50).

Nowhere does Sheth disclose or suggest a single DTD having attributes of two or more types of media.

Sezan does not make up for the deficiencies of Sheth.

In particular, the only reference to a DTD disclosed in Sezan is in an XML example of its description schemes, beginning in column 14, line 53. The reference is to an external DTD file entitled “mpeg-7.dtd” (*see, e.g., id.* at line 54). The content of this DTD file is not disclosed. However, based on Sezan’s “example of the ... program description scheme ... for describing a video program” (Sezan, column 14, lines 41-46; emphasis added), DTD file “mpeg-7.dtd” may be applicable to only one type of asset (a video program). In any case, Sezan does not in any way show or suggest a DTD declaring elements and attributes for more than one type of digital asset as defined in applicants’ amended claims 1 and 14.

Furthermore, other program description scheme references in Sezan also refer to only a single program, and thus to only one type of asset:

“[A] program description scheme [that] provides information regarding the associated program” (Sezan column 1, lines 59-60; emphasis added); and

"[T]he meta information description scheme ... includes various descriptors ... about a video (or audio) program" (Sezan, column 27, lines 7-9; emphasis added).

Regarding Sezan column 19, lines 35-45 (cited by the Examiner), this citation is part of an XML description scheme for "describing a video program" (Sezan column 14, line 46). It is not part of a DTD. Recall that the external DTD file ("mpeg-7.dtd") for this XML description scheme is not disclosed. Thus, this citation is not a DTD comprising declared elements and attributes for at least two types of digital assets.

Regarding Sezan column 29, lines 20-35 (also cited by the Examiner), this citation is a claim element of Sezan claim 3, which defines a system description scheme. It does not define a DTD. Moreover, as disclosed in Sezan's only example of a system description scheme (*see* Sezan, column 24, line 20), an external DTD file (*id.* at line 21) is referenced, but not disclosed.

In sum, Sezan does not in any way teach or suggest a DTD that includes declared elements and attributes for two or more types of digital assets as defined in applicants' amended claims 1 and 14.

Thus, the combination of Sheth and Sezan does not result in applicants' invention. Accordingly, applicants' invention as defined in amended independent claims 1 and 14 is not rendered obvious from the combination of Sheth and Sezan.

For at least the reasons discussed above with respect to independent claim 1, dependent claims 2-13 and 31-41, which depend either directly or indirectly from claim 1, are not obvious from the combination of Sheth and Sezan and any other cited reference (i.e., dependent claims are patentable if their independent claim is patentable).

Accordingly, applicants respectfully request that the rejections of claims 1-14 and 31-41 under 35 U.S.C. § 103(a) be withdrawn.

The Rejection of Independent Claim 15 Under 35 U.S.C. § 103(a)

Independent claim 15 was rejected under 35 U.S.C. § 103(a) as being obvious from the combination of Rose, Montgomery, and Hendricks. The Examiner said that Rose teaches the claim limitation of metadata for photographic digital assets and audio digital assets, but does not explicitly teach promo digital assets and voiceover digital assets. The Examiner also said that Montgomery teaches voiceovers and that Hendricks teaches promo digital assets. The Examiner concluded that it would have been obvious to a person of ordinary skill in the art at the time of the invention to apply the teachings of Montgomery and Hendricks to Rose's system.

This rejection is respectfully traversed.

Rose is directed to "computerized management of multimedia assets" (Rose column 1, lines 7-8) and shows in its FIG. 3 "a block diagram of a database structure" (*id.* at column 2, line 66). "The database is structured around ... asset tables 86 for each asset type" (*id.* at column 5, lines 15-17; emphasis added). "There is an image table 90" (*id.* at line 33), a "video table 92" (*id.* at line 40), an "audio table 94" (*id.* at line 42), an "object table 96" (*id.* at line 44), and "also a document table 98" (*id.* at line 47). "[M]ultimedia assets are entered by way of specific asset-type tables 86" (*id.* at column 9, lines 37-38; emphasis added). This is not applicants' invention as defined in amended claim 15.

There is no teaching or suggestion whatsoever in Rose of a single DTD for declaring elements and attributes for photographic and audio assets. Indeed, Rose does not even mention DTDs.

Montgomery is directed to "production in a personal computer environment of low bandwidth images and audio" (Montgomery column 3, lines 8-10). Montgomery also does not in any way teach or suggest DTDs, much less a DTD as defined in applicants' amended claim 15.

Hendricks is directed to "a center for controlling the operations of a digital television program delivery system" (Hendricks column 3, lines 5-6). Hendricks also does not in any way teach or suggest DTDs, much less a DTD as defined in applicants' amended claim 15.

Therefore, because neither Rose, Montgomery, nor Hendricks teaches or suggests DTDs, the combination of Rose, Montgomery, and Hendricks does not result in applicants' invention as defined in amended claim 15. Thus, the invention of claim 15 is not rendered obvious from the combination of Rose, Montgomery, and Hendricks.

Accordingly, applicants respectfully request that the rejection of claim 15 under 35 U.S.C. § 103(a) be withdrawn.

The Rejection of Independent Claim 16 Under 35 U.S.C. § 103(a)

Independent claim 16 was rejected under 35 U.S.C. § 103(a) as being obvious from the combination of Sheth, Montgomery, and Hendricks. The Examiner said that Sheth teaches the claimed limitations "digital content ..." and "metadata for at least three types of digital assets" The Examiner also said that Montgomery teaches voiceovers and that Hendricks teaches audio/video and storing audio track to promos in a database. The Examiner concluded that it would have been obvious to a person of ordinary skill in the art at the time of the invention to apply the teachings of Montgomery and Hendricks to Sheth's system.

This rejection is respectfully traversed.

As discussed above, Sheth does not in any way teach or suggest a DTD having declared elements and attributes for more than one type of asset as defined by applicants.

And as also discussed above, neither Montgomery nor Hendricks teaches or suggests DTDs in any way.

Therefore, the combination of Sheth, Montgomery, and Hendricks does not result in applicants' invention as defined in amended claim 16, and thus the invention of claim 16 is not rendered obvious from the combination of Sheth, Montgomery, and Hendricks.

Accordingly, applicants respectfully request that the rejection of claim 16 under 35 U.S.C. § 103(a) be withdrawn.

The Rejections of Independent Claims 23 and 24 Under 35 U.S.C. § 103(a)

Independent claims 23 and 24 were rejected under 35 U.S.C. § 103(a) as being obvious from the combination of Sezan and Hsu. The Examiner said that Hsu "teaches DTD definition for multimedia file including video and audio," and cited Hsu column 7, lines 35-65.

These rejections are respectfully traversed.

Amended claims 23 and 24 both define digital asset libraries comprising, among other things, "a document type definition (DTD) comprising declared elements and attributes for photographs, video recordings, and audio recordings."

As discussed above, Sezan does not in any way teach or suggest such a DTD.

Hsu is directed to a "system for automatically assembling product manuals" (Hsu column 2, line 6; emphasis added). While Hsu mentions DTDs generally (column 7,

lines 35-65), Hsu does not teach or suggest a DTD comprising declared elements and attributes for photographs, video recordings, and audio recordings.

Therefore, the combination of Sezan and Hsu does not result in applicants' invention as defined in amended claims 23 and 24. Thus, claims 23 and 24 are not rendered obvious from the combination of Sezan and Hsu.

Accordingly, applicants respectfully request that the rejections of claims 23 and 24 under 35 U.S.C. § 103(a) be withdrawn.

The Rejection of Independent Claim 25 Under 35 U.S.C. § 103(a)

Independent claim 25 was rejected under 35 U.S.C. § 103(a) as being obvious from the combination of Sheth, Gordon, and Hsu. The Examiner said that Gordon "teaches storing audio, video, voice-over and promos," and cited Gordon column 19, lines 60-67, column 18, lines 30-35, and column 14, lines 5-10.

This rejection is respectfully traversed.

Amended claim 25 defines a digital asset library comprising, among other things, "a document type definition (DTD) comprising declared elements and attributes for ... at least two types of digital assets."

As discussed above, neither Sheth nor Hsu teaches or suggests such a DTD.

Gordon is directed to "a data structure suited to efficiently representing [sic] a plurality of image streams" (Gordon column 2, lines 33-34). "A data structure according to the invention comprises: a multiplexed stream comprising a plurality of video streams" (*id.* at lines 48-49). These data structures are not applicants' DTDs. Moreover, Gordon does not in any way teach or suggest a DTD that comprises declared elements and attributes for at least two types of digital assets.

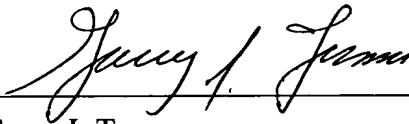
Therefore, the combination of Sheth, Gordon, and Hsu does not result in applicants' invention as defined in amended claim 25. Thus, claim 25 is not rendered obvious from that combination.

Accordingly, applicants respectfully request that the rejection of claim 25 under 35 U.S.C. § 103(a) be withdrawn.

Conclusion

The foregoing demonstrates that claims 1-16, 23-25, and 31-41 are allowable. This application is therefore in condition for allowance. Reconsideration and allowance are accordingly respectfully requested.

Respectfully submitted,



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